



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,832	07/15/2003	Mark R. Nelson	062891.1135	7188

5073 7590 03/22/2005

BAKER BOTTS L.L.P.
2001 ROSS AVENUE
SUITE 600
DALLAS, TX 75201-2980

EXAMINER

ALAUBAIDI, HAYTHIM J

ART UNIT	PAPER NUMBER
----------	--------------

2161

DATE MAILED: 03/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/619,832

Applicant(s)

NELSON ET AL.

Examiner

Haythim J. Alaubaidi

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is a non-final office action in response to the Amendment filed on December 06, 2004.
2. Claims 1-56 are presented for examination following the Amendment of December 06, 2004, of which Claims 1, 8, 14, 21, 27, 35, 42, 49, 55 and 56 are independent claims.
3. Claims 1-56, are rejected under 35 U.S.C. 103(a).

Priority

4. Applicant claims for domestic priority date of December 21, 2000 is granted.

Response to Arguments

5. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2161

7. Claims 1-56, are rejected under 35 U.S.C. 102(e) as being unpatentable over Michel Bowman-Amuah (U.S. Patent No. 6,502,213 and Bowman hereinafter) in view of Madoka Mitsuoka (U.S. Patent No. 6,671,508 and Mitsuoka hereinafter).

Regarding Claims 1, 14, 27, 42 and 55, Bowman discloses;

- receiving a first request in a first format compatible with a public network communication protocol (Figure No. 30 and corresponding text; see also Figure No. 17 and corresponding text; see also Col 17, Lines 49-56; see also Col 52, Lines 11-16; see also Figures 122 and 124 and corresponding text);
- converting the first request to a second request, the second request in a second format compatible with a repository protocol (Col 52, Lines 11-16; see also Col 51, Line 59 through Col 52, Line 20; see also Col 103, Lines 40-44; see also Col 209, Lines 55-64; see also Col 239, Lines 30-49);
- transmitting the second request to a repository (Col 52, Lines 10-16 and 28-29) - receiving from the repository a first response in the second format, the first response (Col 221, Lines 16-31; see also Col 226, Lines 51-62) including requested information (Col 52, Lines 36-40);
- converting the first response to a second response, the second response in the first format (see Figures 67, 107 and 114 and corresponding text; see also Col 209, Lines 19-31 and 55-64; see also Col 234, Lines 33-42, see also Col 240, Lines 26-65) and the second response including the requested information (Col 52, Lines 36-40); and

- transmitting the second response to a client (figures 115 through 119 and corresponding text).

Bowman reference discloses all of the claimed subject matter set forth above, except it does not explicitly indicate the control information. However, Mitsuoka teaches the control information (Col 7, Lines 9-29, i.e. additional information; see also Col 8, Lines 16-35; see also Col 11, Lines 50-62; see also Figure No. 21 and corresponding text; see also Figure No. 11 and corresponding text¹)². Given the intended broad application of Bowman system, it would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Bowman with the teachings of Mitsuoka by including the control information in order to speed-up the process of dialing (Mitsuoka, Col 1, Lines 32-36) by saving the caller or the user time in not calling someone who is not available or who has a busy signal (Mitsuoka, Figure No. 18 and corresponding text)³.

¹ Please note that the Examiner is interpreting the "control information" in Claim 1, according to dependent Claim 6, wherein the "control information includes an autodial indicator"; the "auto indicator" would be the last screen of Figure No. 11 (communicate? → Y, N) and corresponding text.

² Please note that in regard to the last limitation of Independent Claim 1, wherein the requested information is based on the manner determined by the control information. The Examiner would like to respectfully bring the Applicant attention to the citation of Mitsuoka, Col 22, Lines 28-36, wherein the manner determined by the control information is similar to having a user determining a communication service and wherein the conditions must be satisfied.

³ Please note that the "control information" is being understood by the Examiner according to the Specification of the current Application, specifically, Page 14, Lines 2-10).

Art Unit: 2161

Regarding Claims 2 and 15, Bowman discloses wherein the client comprises a telephone (Col 48, Lines 52-53; see also Figure 124, element 12402 and 12406; see also Col 77, Lines 45-51; see also Col 249, Lines 16-25).

Regarding Claims 3, 16, 29 and 44, Bowman discloses XML (Col 41, Lines 34-37).

Regarding Claims 4, 17, 30 and 45, Bowman discloses SQL and LDAP (Col 74, Lines 54-55; see also Col 52, Lines 11-16; see also Col 63, Lines 52-54).

Regarding Claims 5, 18, 32 and 46, the limitations of these claims are similar to the rejected claim 1, above. In addition, Bowman discloses authentication, password and level of access (Figure 131 and corresponding text; see also Col 82, Lines 15-53; see also Col 221, Lines 37-67).

Regarding Claims 6-7, 19-20, 31, 33 and 47-48, Bowman discloses displaying of a telephone number⁴ (Bowman, Col 60, Line 45); in addition, Mitsuoka also discloses displaying of a telephone number and autodial status⁵ (Figure 24 and corresponding text).

⁴ Please note that displaying a telephone number and its digits are elements of the well known caller-ID feature.

⁵ Please note that the "autodial status" is being interpreted as a "communication status" for example (see Figure 24, i.e. communication status).

Regarding Claims 28 and 43, the limitations of these claims are similar in scope to the last limitation of the rejected claims 1, 14, 27, 42 and 55, above. They are therefore rejected as set forth above.

Regarding Claim 34, Bowman discloses wherein the first interface, the second interface and the translation module are all in a single component (Figure No. 120 and corresponding text; see also Col 10, Line 61 through Col 11, Line 11).

Regarding Claims 8, 21, 35, 49 and 56, Bowman discloses;

- receiving a first request in a first format compatible with a public network communication protocol (Figure No. 30 and corresponding text; see also Figure No. 17 and corresponding text; see also Col 17, Lines 49-56; see also Col 52, Lines 11-16; see also Figures 122 and 124 and corresponding text);
- converting the first request to a second request, the second request in a second format compatible with a repository protocol (Col 52, Lines 11-16; see also Col 51, Line 59 through Col 52, Line 20; see also Col 103, Lines 40-44; see also Col 209, Lines 55-64; see also Col 239, Lines 30-49);
- transmitting the second request to a repository (Col 52, Lines 10-16 and 28-29); and
- receiving from the repository a response in the second format (Col 221, Lines 16-31; see also Col 226, Lines 51-62) including requested information (Col 52, Lines 36-40).

Bowman reference discloses all of the claimed subject matter set forth above, except it does not explicitly indicate the save information. However, Mitsuoka teaches the save information⁶ (Col 12, Line 64 through Col 13, Line 9). Given the intended broad application of Bowman system, it would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Bowman with the teachings of Mitsuoka by referencing information such as the "saved information" in order to increase the system flexibility and popularity among the user's community by adding a well known notification feature; such a feature would increase the user's interest in such a system and makes it more attractive for use, this would also lead to increase in profit.

Regarding Claims 9 and 22, Bowman discloses wherein the client comprises a telephone (Col 48, Lines 52-53; see also Figure 124, element 12402 and 12406; see also Col 77, Lines 45-51; see also Col 249, Lines 16-25).

Regarding Claims 10, 23, 37 and 51, Bowman discloses XML (Col 41, Lines 34-37).

⁶ Please note that the Examiner is interpreting the "save information" to be the "user status" (see Mitsuoka, Col 12, Line 64 through Col 13, Line 9), as the status is being stored (saved) and also being updated (saved) a notification is being sent to the client indicating that the "status" (saved information) has been updated.

Art Unit: 2161

Regarding Claims 11, 24, 38 and 52, Bowman discloses SQL and LDAP (Col 74, Lines 54-55; see also Col 52, Lines 11-16; see also Col 63, Lines 52-54).

Regarding Claims 12, 25, 39 and 53, the limitations of these claims are similar to the rejected claim 1, above. In addition, Bowman discloses authentication, password and level of access (Figure 131 and corresponding text; see also Col 82, Lines 15-53; see also Col 221, Lines 37-67).

Regarding Claims 13, 26, 40 and 54, Bowman discloses receiving requests for update (Col 71, Lines 51-54; see also Col 259, Lines 63-67; see also Col 260, Lines 45-48).

Regarding Claims 36 and 50, the limitations of these claims are similar in scope to the last limitation of the rejected claims 8, 21, 35, 49 and 56, above. They are therefore rejected as set forth above.

Regarding Claim 41, Bowman discloses wherein the first interface, the second interface and the translation module are all in a single component (Figure No. 120 and corresponding text; see also Col 10, Line 61 through Col 11, Line 11).

Points of Contact

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haythim J. Alaubaidi whose telephone number is (571) 272-4014. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (571) 272-4023.

Any response to this office action should be mailed to:

The Commissioner of Patents and Trademarks, Washington, D.C. 20231 or telefax at our fax number (703) 872-9306.

Hand-delivered responses should be brought to the Customer Service Window of the Randolph Building at 401 Dulany Street, Alexandria, VA 22314

Haythim J. Alaubaidi

Patent Examiner
Technology Center 2100
Art Unit 2161
March 18, 2005

Frantz Coby
FRANTZ COBY
PRIMARY EXAMINER